

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-00002-RJC-DSC**

**HENRY E. WOMBLE III, as personal
representative for the Estate of Henry E. Womble**

Plaintiff,

v.

EATON AEROQUIP, INC.,

Defendant.

ORDER

THIS MATTER comes before the Court after a Status Conference held on May 6, 2016, and upon the parties' joint request for a partial stay of the scheduling deadlines in this case. Having considered the issues and the arguments of counsel, the Court finds good cause to **grant** a partial stay of this matter pending the resolution of Defendant's administrative appeals of Medicare's payment demands. This case, however, shall proceed as to those specific issues which are currently ripe for adjudication as a matter of law. Accordingly, the parties shall file the appropriate motions for partial summary judgment by May 20, 2016. Responses to a motion, if any, must be filed within fourteen (14) days of the date on which the motion is filed. Replies to responses, if any, must be filed within seven (7) days of the date on which the response is filed. Pursuant to Rule 6(e), when a party serves a motion or response by any manner, the respondent shall have an additional three (3) days to file a response or reply.

IT IS, THEREFORE, ORDERED that all current scheduling deadlines in this matter are hereby **STAYED**. The case shall proceed only as to those specific issues which are currently ripe for adjudication as a matter of law, and the parties shall file the appropriate motions for partial summary judgment by **May 20, 2016**. It is further **ORDERED** that the parties file a status report,

jointly if possible, notifying the Court of the status of Defendant's administrative appeals by **July 8, 2016**, and every **ninety (90) days** thereafter until the stay is lifted or this case is closed.

Signed: May 6, 2016

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

